



Natural Resources Conservation Service  
75 High Street, Room 301  
Morgantown, WV 26505

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December 12, 2005

WEST VIRGINIA BULLETIN NO: WV300-6-5

SUBJECT: LTP-Farm Bill Contracts with Animal Use Area Protection

Purpose: To request a list of contracts from Field Offices that include an Animal Use Area Protection which have not been installed.

Expiration Date: September 30, 2007

Action Required by: **January 12, 2006**

On August 24, 2005, the conservation practice standard for Wastewater Treatment Strip – Code 635 was released for use in WV. This practice standard prohibited the use of this practice standard to treat runoff from a livestock feeding area when the feeding area was designed to accommodate more than 10 animal units. This raised the question of which practice standard to use in implementing existing conservation plans and Farm Bill Program contracts where the runoff from a livestock feeding area was planned to be treated by filtering through a filter area down slope of the feed pad. This led to the release of [WV Bulletin WV450-5-1](#) which stated that the current standard would be used to design and install a conservation practice even if a previous standard was used to plan and contract the conservation practice. This bulletin also stated that the question on this matter was being elevated to the national office since this decision had ramifications which spread beyond state borders.

We have received a final resolution from NHQ to this question. The answer is that we are required to use the current practice standard.

This decision affects a large number of Farm Bill contracts with Livestock Use Area Protection, Heavy Use Area Protection and Waste Storage Facilities planned. We will offer these contract holders three options. First, they can complete the above listed practices using the **current** practice standards with no additional cost share funding. Second, they can cancel the contract without penalty. Third, they can apply for a new contract which will provide cost share assistance for the additional costs associated with the changes needed to comply with the new practice standard. If option three is chosen, field office staff will accept the new EQIP application and defer it to the year that the livestock feeding area or waste storage facility is scheduled for installation.

Field offices are requested to send an electronic list of those Farm Bill contracts which contain a Livestock Use Area Protection, Heavy Use Area Protection or unroofed Waste Storage Facility practice which has not been installed. Submit the decision maker's name, mailing address, contract number from ProTracts and practice name using the attached spreadsheet. Return the spreadsheet to **Diana Doerr by January 12, 2006.**

The state office will then send a certified letter to the decision maker of each contract notifying them of the change in the practice standard and their options. The letter will instruct the decision maker to contact the local field office with their decision within sixty days.

If you have questions or need additional information, please contact Herb Andrick, Assistant State Conservationist for Programs at 284-7560.

/s/William P. O'Donnell, Acting for

RONALD L. HILLIARD  
State Conservationist

Attachment: [wv300\\_6\\_5spreadsheet](#)

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